

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

TIME SCHEDULE ORDER NO. R4-2006-YYYY

REQUIRING CITY OF LOS ANGELES
(DONALD C. TILLMAN WATER RECLAMATION PLANT)
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN
NPDES ORDER NUMBER R4-2006-XXXX
(NPDES PERMIT NO. CA0056227)

The California Regional Water Quality Control Board, Los Angeles Region (hereafter Regional Board), finds:

1. The City of Los Angeles (hereafter City or Discharger) own and operate the Donald C. Tillman Water Reclamation Plant (hereafter Tillman WRP) located at 6100 Woodley Avenue, Van Nuys, California.
2. The Tillman WRP discharges tertiary-treated wastewater under waste discharge requirements contained in Order No. R4-2006-XXXX, adopted by this Regional Board on December 14, 2006. Order No. R4-2006-XXXX also serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0056227), which regulates the discharge of treated wastewater to the Los Angeles River, a water of the United States, tributary to the Los Angeles, within the Los Angeles River Watershed.
3. NPDES Order No. R4-2006-XXXX, adopted on December 14, 2006, prescribes the following receiving water limitations for the protection of the MUN beneficial use in the underlying groundwater basins:

Constituent	Units	Discharge Limitations	
		Monthly Average ^[1]	Daily Maximum
Thallium	µg/L	2	--
Tetrachloroethylene	µg/L	5	--
Bis(2-ethylhexyl)phthalate	µg/L	4	--

Footnotes:

- [1]. Average Monthly Discharge Limitation means the highest allowable average of daily discharge over a calendar month, calculated as the sum of all daily discharges measures during that month divided by the number of days on which monitoring was performed. Compliance with the monthly average final limit will be determined according to WDR Section IV.5.B.

- A. This final limit takes effect on the effective date of NPDES Order No. R4-2006-XXXX; i.e., 50 days after its adoption (February 2, 2007).

- B. Treated effluent from the Tillman WRP consistently exceeds the Basin Plan's Groundwater Quality Objectives for Thallium, Tetrachloroethylene, and Bis(2-ethylhexyl)phthalate. The facility may not be able to meet the groundwater receiving water limitations. Therefore, interim limits are needed for these three chemicals.
 - C. To achieve compliance with the final limitations, the Discharger may modify or improve the treatment system, explore source reduction options or conduct studies leading to approvable Fate and Transport Studies or Attenuation Studies.
4. California Water Code section 13300 allows the discharger "to submit for approval by the board, with such modifications as [the board] may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements."
 5. In conformance with Water Code section 13385(j)(3), the Discharger shall submit a workplan specifying actions that the Discharger will take in order to prevent the violations of the applicable limitations for bis(2-ethylhexyl)phthalate and total trihalomethanes. Further, the limitations covered by this TSO are necessary because the limitations became effective after July 1, 2000 and the appropriate control measures cannot be put into operation within 30 days. The Regional Board concluded that the Discharger's 5 year compliance schedule was as short as possible, taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the control measures.
 6. This TSO allows the Discharger to achieve full compliance with the Thallium, Tetrachloroethylene, and Bis(2-ethylhexyl)phthalate limitations, and prescribes interim limits for Thallium, Tetrachloroethylene, and Bis(2-ethylhexyl)phthalate for the Tillman WRP to comply until the final compliance date.
 7. Exceedances of the NPDES limits for Thallium, Tetrachloroethylene, and Bis(2-ethylhexyl)phthalate are not subject to CWC Section 13385 subdivisions (h) and (i) as long as the Discharger complies with all of the requirements of the TSO; does not exceed the interim limits; and, meets requirements A through D of CWC Section 13385(j)(3).
 8. The action taken by this Regional Board pertaining to the time schedule does not preclude the possibility of actions to enforce the waste discharge requirements and permit by third parties pursuant to section 505 of the Federal Clean Water Act.
 9. The Regional Board may reopen this TSO at its discretion or at the request of the Discharger, if warranted.
 10. This TSO concerns an existing facility, does not significantly alter the status with respect to the facility, and is, therefore, categorically exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et.seq.) in accordance with Section 15301 of Title 14, California Code of Regulations.

The Board notified the Discharger and interested agencies and persons of its intent to issue a Time Schedule Order concerning violations or threatened violations of waste discharge requirements.

The Board, in a public hearing, heard and considered all testimony pertinent to this matter. All Orders referred to above, Regional Board files on this matter, and records of hearings and testimony therein are included herein by reference.

IT IS HEREBY ORDERED that, pursuant to the California Water Code section 13300, City of Los Angeles, as operator of the Donald C. Tillman Water Reclamation Plant, shall:

1. Comply immediately with the following interim receiving water groundwater limitations for the duration of this TSO:

Constituent	Units	Monthly Average
Thallium	µg/L	8.6 ^[1]
Tetrachloroethylene	µg/L	9.3 ^[2]
Bis(2-ethylhexyl)phthalate	µg/L	8.7 ^[1]

Footnotes:

- [1]. Interim limit, based upon lognormal distribution, was derived statistically at 95% confidence level for monthly average (See Attachment IL).
- [2]. Interim limit, based upon ormal distribution, was derived statistically at 95% confidence level for monthly average (See Attachment IL).
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2. Submit a pollution prevention plan (PPP) workplan with a time schedule for implementation for approval of the Executive Officer within 120 days after the adoption of this TSO (by April 13, 2007), pursuant to CWC section 13263.3.
3. Achieve full compliance with the limitations in NPDES Order No. R4-2006-XXXX for Thallium, Tetrachloroethylene, and Bis(2-ethylhexyl)phthalate based on the Basin Plan Ground Water Quality Objectives by November 10, 2011.
4. Submit quarterly progress reports of efforts towards compliance with the limitations for Thallium, Tetrachloroethylene, and Bis(2-ethylhexyl)phthalate to include, but not limited to:
 - A. Status of the plant modification/ upgrade activities; and/or,
 - B. Source reduction activities; and/or,
 - C. Fate and Transport Studies or Attenuation Studies.

Progress reports shall be received by the fifteenth day of the first month following the reporting quarter (January 15, April 15, July 15 and October 15). The first progress report shall be received at the Regional Board by April 15, 2007, and will cover the months of January 2007 through March 2007. The first progress report shall also include information of any plant modification/ upgrade activities, source reduction activities, Fate and Transport Studies or Attenuation Studies.

5. If the Discharger fails to comply with any provisions of this Order, the Executive Officer may issue an Administrative Civil Liability Complaint pursuant to California Water Code Section 13323. The Regional Board may also refer the case to the Attorney General for injunction and civil monetary remedies, pursuant to California Water Code sections 13331 and 13385.
6. All other provisions of NPDES Order No. R4-2006-XXXX not in conflict with this Order are in full force and effect.

I, Jonathan Bishop, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on December 14, 2006.

Jonathan S. Bishop
Executive Officer

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